

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:

Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:

Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

June 16, 2003

Bruce Rifkin, Clerk
215 William Kenzo Nakamura U.S. Courthouse
1010 Fifth Avenue
Seattle, WA 98104-1130

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

(See Attached Schedule CTO-29)

Dear Mr. Rifkin:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule on May 29, 2003. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Attachments

cc: Transferee Judge: Judge Barbara Jacobs Rothstein
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

JPML Form 38



01-MD-01407-ORD

A CERTIFIED TRUE COPY

JUN 16 2003

ATTEST *Barbara Jacobs Rothstein*
FOR THE JUDICIAL PANEL OF
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY 29 2003

FILED
CLERK'S OFFICE

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY
LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-29)

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,042 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUN 16 2003

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-29 - TAG ALONG CASES
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

DISTRICT DIV. CIVIL ACTION#

ALABAMA MIDDLE

ALM 3 03-194 Curtis Fred Galliher, et al. v. Bayer Corp.

ALABAMA NORTHERN

ALN 2 02-3006 Eunice Diane Kell v. The Delaco Co., et al.

DISTRICT OF COLUMBIA

DC 1 02-1974 Elizabeth M. Page v. Bayer Corp.

LOUISIANA EASTERN

LAE 2 02-3785 Anitriess Edwards v. Bayer Corp., et al.

LOUISIANA MIDDLE

LAM 3 03-215 Myoa Hall, et al. v. Bayer Corp.

MISSISSIPPI SOUTHERN

~~MSS 3 03-272 Robin Elizabeth Shivers, et al v. Rhodes & Robby Drugs, Inc., et al.~~
~~Opposed 6/10/03~~

~~MSS 3 03-415 Nancy Dunn, et al. v. Wyeth, et al.~~

~~MSS 3 03-444 Maria Claiborne, et al. v. GlaxoSmithKline Consumer Healthcare, L.P., et al.~~
~~Opposed 6/11/03~~

~~MSS 5 03-174 James Chascy v. Bayer Corp., et al. Opposed 6/13/02~~

~~MSS 5 03-187 Deedward Lacy, et al. v. Wyeth, et al. Opposed 6/11/03~~

~~MSS 5 03-188 James E. Anderson, et al. v. Bayer Corp., et al. Opposed 6/13/02~~

~~MSS 5 03-197 Augusta McClure v. Wyeth Consumer Healthcare, et al. Opposed 6/13/02~~

~~MSS 5 03-198 Inez Chatman, etc. v. Bayer Corp., et al.~~

NEW JERSEY

NJ 2 02-5868 Winifred Frasure v. Bristol Myers Squibb Co., et al.

NJ 2 02-5869 William Jinright, et al. v. Bristol-Myers Squibb Co.

INVOLVED COUNSEL LIST (CTO-29)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Robert J. Arnold, III
Daniel Coker Horton & Bell
P.O. Box 1084
Jackson, MS 39215-1084

Don John W. Barrett
Barrett Law Office, P.A.
404 Court Square North
P.O. Box 987
Lexington, MS 39095-0987

Daniel E. Becnel, Jr.
Law Offices of Daniel E. Becnel, Jr.
106 West Seventh Street
P.O. Drawer H
Reserve, LA 70084-2095

Edward Blackmon, Jr.
Blackmon & Blackmon
907 West Peace Street
P.O. Drawer 105
Canton, MS 39046-0105

Charles P. Blanchard
Chaffe, McCall, Phillips, Toler & Sarpy
2300 Energy Centre
1100 Poydras Street
New Orleans, LA 70163-2300

Philip Bohrer
Bohrer Law Firm, LLC
8712 Jefferson Highway
Suite B
Baton Rouge, LA 70809

Walter H. Boone
Forman Perry Watkins Krutz & Tardy
P.O. Box 22608
Jackson, MS 39225-2608

Brooks R. Buchanan
Butler, Snow, O'Mara, Stevens
& Cannada
P.O. Box 22567
Jackson, MS 39225-2567

Philip E. Carby
Philip E. Carby, P.C.
513 State Street
P.O. Box 1047
Natchez, MS 39121

Stanley A. Cash
Huie, Fernambucq & Stewart
800 First Alabama Bank Building
417 North 20th Street
Birmingham, AL 35203

Lawrence R. Cohan
Anapol, Schwartz, Weiss, Cohan, et al.
402 Park Boulevard
Cherry Hill, NJ 08002

Julia B. Cooper
Walston, Wells, Anderson & Bains
505 North 20th Street
P.O. Box 830642
Suite 500
Birmingham, AL 35283-0642

William M. Cunningham, Jr.
Burns, Cunningham, Mackey
& Fillingim
P.O. Box 1583
Mobile, AL 36633-1583

William M. Dalehite, Jr.
Steen, Dalehite & Pace
P.O. Box 900
Jackson, MS 39205-0900

Rick G. Davis
Frasier & Davidson, P.A.
500 East Capitol Street
Jackson, MS 39201

Luke Dove, Jr.
Dove & Chill
4266 I-55 North
Suite 108
Jackson, MS 39211

David E. Dukes
Nelson, Mullins, Riley
& Scarborough, LLP
1330 Lady Street
Keenan Bldg., 3rd Floor
P.O. Box 11070
Columbia, SC 29211

Kim E. Evers
Levin, Papatonio, et al.
316 S. Baylen Street, Suite 600
P.O. Box 12308
Pensacola, FL 32581

Charles J. Fleming
Gardner, Middlebrooks, Gibbons,
Kittrell & Olsen
P.O. Drawer 3103
Mobile, AL 36652

James L. Fletcher
Montgomery, Barnett, Brown, Read
3200 Energy Centre
1100 Poydras St.
New Orleans, LA 70163-3200

James W. Gewin
Bradley Arant Rose & White, LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, AL 35203-2104

Charles E. Gibson, III
Gibson Law Firm
620 North Street, Suite 100
P.O. Box 3493
Jackson, MS 39207-3493

Douglas J. Gunn
Watkins & Eager
P. O. Box 650
Jackson, MS 39205-0650

Cynthia Joyce Hall
Watkins & Eager
P.O. Box 650
Jackson, MS 39205-0650

James C. Simpson, Jr..
Montgomery, Barnett, Brown, Read, et al.
2304 19th Street
Suite 203
Gulfport, MS 39501

Supermarket Operations
116 Lower Woodville Road
Natchez, MS 39122

Michael A. Tanenbaum
Sedgwick, Detert, Moran & Arnold
One Gateway Center
11th Floor
Newark, NJ 07102

J. Dewayne Thomas
P.O. Box 65
Jackson, MS 39205-0065

Terry O. Tottenham
Fulbright & Jaworski, LLP
600 Congress Avenue
Suite 2400
Austin, TX 78701-2011

C. Crews Townsend
Miller & Martin
Volunteer Building, Suite 1000
832 Georgia Avenue
Chattanooga, TN 37402

Walpharm, Inc.
17802 Gillete
Irvine, CA 92614

Leila H. Watson
Cory, Watson, Crowder & DeGaris, P.C.
2131 Magnolia Avenue
Suite 200
Birmingham, AL 35205

Sortirios B. Yanakakis
Ashcraft & Gerel
2000 L Street, NW
Suite 400
Washington, DC 20036

INVOLVED JUDGES LIST (CTO-29)
DOCKET NO. 1407
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

~~Hon. William H. Barbour, Jr.~~
~~U.S. District Judge~~
~~430 James O. Eastland U.S. Courthouse~~
~~245 East Capitol Street~~
~~Jackson, MS 39201~~

Hon. Sharon Lovelace Blackburn
U.S. District Judge
730 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

Hon. David C. Bramlette
U.S. District Judge
216 Federal Building
725 Martin Luther King, Jr. Blvd.
Biloxi, MS 39530

Hon. Joseph A. Greenaway, Jr.
U.S. District Judge
Martin Luther King, Jr. Federal
Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

~~Hon. Tom S. Lee~~
~~Chief Judge, U.S. District Court~~
~~110 James O. Eastland U.S. Courthouse~~
~~245 East Capitol Street~~
~~Jackson, MS 39201~~

Hon. Ivan L.R. Lemelle
U.S. District Judge
C-525 U.S. Courthouse
500 Camp Street
New Orleans, LA 70130

Hon. Richard W. Roberts
U.S. District Judge
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, DC 20001

Hon. Myron H. Thompson
U.S. District Judge
P.O. Box 235
Montgomery, AL 36101

Hon. Ralph E. Tyson
U.S. District Judge
301 Russell B. Long Fed. Bldg.
777 Florida Street
Baton Rouge, LA 70801-1712

Hon. Henry T. Wingate
U.S. District Judge
109 James O. Eastland U.S. Courthouse
245 East Capitol Street
Jackson, MS 39201